

Message Text

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11

ACTION L-02

INFO OCT-01 IO-10 ISO-00 DLOS-03 OFA-01 OES-03 SP-02 PM-03

SS-15 NSC-05 DODE-00 ACDA-05 FEA-01 AID-05 CEQ-01

CIAE-00 COME-00 EB-07 EPA-01 INR-07 NSF-01 NSAE-00

AF-06 ARA-06 EA-06 EUR-12 NEA-09 /112 W

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R 111650Z APR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2023

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E.O. 11653: NA

TAGS: ICRC PARM PFOR

SUBJ: DIPLOMATIC CONFERENCE ON LAWS OF WAR-ENVIRONMENTAL PROTECTION

REF: A) GENEVA 2386; B) STATE 080770

1. AS ANTICIPATED, PARA 3, ARTICLE 33, AND ARTICLE 48 BIS DEALING WITH PROTECTION OF THE NATURAL ENVIRONMENT WERE ADOPTED BY COMMITTEE III ON 10 MARCH. USDEL ABSTAINED AS INSTRUCTED. ARTICLE 33, PARA 3 QUOTED IN REF (A) WAS APPROVED BY OVERWHELMING MAJORITY INCLUDING EASTERN BLOC COUNTRIES. ARTICLE 48 BIS, AS QUOTED IN REF (A) WAS ADOPTED, EXCEPT THAT BRACKETED WORDS "TO SUCH A DEGREE AS TO DISTURB THE STABILITY OF THE ECOSYSTEM" WERE DELETED BY ONE VOTE MARGIN, WITH USDEL VOTING FOR DELETION. ALTHOUGH EAST EUROPEAN BLOC VOTED FOR RETENTION, SUBSEQUENT BILATERAL DISCUSSIONS REVEALED ONLY LUKEWARM FEELING AMONG EAST EUROPEAN COUNTRIES FOR THEIR VOTE. BRACKETED WORDS "HEALTH OR" WERE RETAINED BY WIDE MARGIN WITH USDEL VOTING FOR DELETION.

2. THE COMMITTEE REPORT WILL REFLECT THAT THE TERM "WIDESPREAD, LONG-TERM, AND SEVERE" MEANS DAMAGE OF SUCH A DEGREE AS TO PREJUDICE THE SURVIVAL OF THE CIVILIAN POPULATION. ADDITIONALLY, IT WILL CONTAIN NOTE THAT WORD "HEALTH", IN CONTEXT OF ARTICLE 48

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BIS, REFERS TO SEVERE DAMAGE WHICH MAY PERMIT THE SURVIVAL OF THE

CIVILIAN POPULATION, BUT IN A POSSIBLE DEFORMED OR DEGENERATE STATE.

3. ALSO, ARTICLE 28 BIS, PROTOCOL II (NON-INTERNATIONAL CONFLICTS) WITH LANGUAGE IDENTICAL TO PARA 3, ARTICLE 33, PROTOCOL I, WAS ADOPTED BY OVERWHELMING MAJORITY. USDEL VOTED AGAINST.

4. TEXT OF ARTICLES AS ADOPTED, AND DETAILS OF VOTING CONTAINED IN SEPARATE AIRGRAM (GENEVA A-155). ABRAMS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ENVIRONMENT, MEETING VOTING RECORDS, LAW OF WAR
Control Number: n/a
Copy: SINGLE
Draft Date: 11 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA02524
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750128-0351
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750456/aaaabzrv.tel
Line Count: 70
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 GENEVA 2386, 75 STATE 080770
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUN 2003 by BoyleJA>; APPROVED <30 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DIPLOMATIC CONFERENCE ON LAWS OF WAR-ENVIRONMENTAL PROTECTION
TAGS: PARM, PFOR, ICRC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006